

**Government of the District of Columbia**

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**DC Department of Public Works**

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Testimony of  
**William O. Howland, Jr.**  
Director

**“FISCAL YEAR 2015 PROPOSED BUDGET AND  
FINANCIAL PLAN  
FOR THE DEPARTMENT OF PUBLIC WORKS”  
AND  
“BILL 20-715, THE WINTER SIDEWALK SAFETY  
AMENDMENT ACT OF 2014”**

COMMITTEE ON TRANSPORTATION AND THE ENVIRONMENT  
Mary M. Cheh, Chairperson

John A. Wilson Building  
Room 123  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004  
Thursday, May 1, 2014  
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**TESTIMONY OF WILLIAM O. HOWLAND, JR., DIRECTOR  
DC DEPARTMENT OF PUBLIC WORKS  
“FISCAL YEAR 2015 PROPOSED BUDGET AND FINANCIAL PLAN  
FOR THE DEPARTMENT OF PUBLIC WORKS”  
BEFORE THE COMMITTEE ON TRANSPORTATION AND  
THE ENVIRONMENT  
THURSDAY, MAY 1, 2014**

**INTRODUCTION**

Good afternoon, Chairperson Cheh, members of the Council and staff. I am William O. Howland, Jr., Director of the Department of Public Works. I am here today to present Mayor Vincent C. Gray’s FY 2015 Proposed Budget and Financial Plan for the Department of Public Works.

Mayor Gray’s proposed FY 2015 budget reaps the benefits of past sacrifices that now are producing funds to invest in services. About 75 percent of DPW’s employees are District residents who have a vested interest in the benefits Mayor Gray outlined, including additional affordable housing, improved public education, enhanced economic and workforce development and enriched quality of life.

With the budget proposed by Mayor Gray for DPW, all 1,400 employees will be better positioned to help District residents, including their own families, achieve that enriched quality of life.

I would like to highlight some of the services we provided in FY 2013. We:

- Collected about 94,000 tons of trash and 38,000 tons of recyclables.
- Recovered about 70 tons of e-waste and 120 tons of shredded paper.
- Composted more than 5,000 tons of leaves.
- Made more than 41,000 bulk collections.
- Collected more than 2,300 tons of trash, debris and pollutants by sweeping District streets.
- And we removed more 16,000 vehicles that impeded rush hour traffic flow.

**PROPOSED FY 2015 BUDGET**

DPW’s proposed FY15 budget is \$152,555,156, which is an 8.5 percent increase over the current fiscal year budget of \$140,585,070. The budget provides for 1,408 FTEs, which is the same as in FY 2014.

The proposed FY 2015 budget consists of:

- \$121,593,711 in Local funds.
- \$7,450,000 in Special Purpose Revenue Funds, and

\$23,511,445 in Intra-District funds.

For the first time since I have been at DPW, the budget funds all the positions with a 2 percent vacancy rate. This will resolve some of the staff shortages we have had in the past.

The funding adjustments are as follow:

Salary adjustments (COLA)	\$ 5.6 million
Fringe benefits	\$ 1.6 million
Hazardous pay	\$ 1.8 million
Consumer Price Index	\$ 0.7 million
One-time restoration	\$ 1.5 million
One-time funding reduction	<u>(\$ 1.1 million)</u>
Total	\$10.1 million
Intradistrict	<u>\$ 2.2 million</u>
Total	\$12.3 million
Reduction of Special Purpose Revenue Funds	<u>(\$ 0.3 million)</u>
Total	\$12.0 million

DPW has completed distribution of Supercans, trash cans and recycling cans to residents who receive our trash and recycling collection services. We expect to realize certain benefits of this distribution, including:

- A reduction in vermin feasting on trash in damaged Supercans and trash cans.
- A reliable database of our trash and recycling collection customers.
- A more attractive street and alley line of sight as the new cans are in place for collection.

We are proud that the District's amenities are attracting thousands and thousands of new residents, many of whom live in buildings with four or more apartments so they are not part of our collections service base. However, they are as interested in clean streets as our trash and recycling customers.

The proposed FY 2015 budget will increase our ability to sweep our residential and commercial streets and maintain an attractive environment for all. The rat-proof plates and new liners for our street litter cans that are being installed in FY 2014, will lead to a healthier environment.

#### WINTER SIDEWALK SAFETY AMENDMENT

Now, I would like to present testimony on Bill 20-715, the Winter Sidewalk Safety Amendment Act of 2014.

After reviewing the proposed Act and comparing it with the provisions of DC Code §9-601, entitled “Removal of Snow and Ice From Streets and Sidewalks”, I have reached several conclusions.

Additionally, I offer some items that warrant further discussion and collaboration with the committee and DPW to ensure the proposed Act is good law. I propose the following items for further discussion and/or consideration:

The DPW personnel, our SWEEP Inspectors, issue tickets like those in the proposed Act will be unavailable because they are part of the snow team during snow events.

Enforcement of the proposed Act will require additional economic resources to issue defensible tickets including the ability to photograph, serve and mail the tickets.

It is unclear if seniors and disabled property owners are exempt from clearing their sidewalks or exempt from receiving tickets for failure to clear the sidewalks. If these owners are exempt from receiving tickets, then the proposed Act should clarify who is responsible for clearing the sidewalks of their property.

Whatever the intent, this exemption should apply to seniors and disabled owners who occupy their homes. I recommend that any proposed exemptions should be limited in duration and should require periodic re-application to ensure that they remain accurate.

The requirement that a warning is issued to property owners before issuing a fine on or before December 31, 2014, could prove quite onerous and cumbersome for enforcement personnel, leading some residents to not receive a notice.

We recommend issuing all property owners a warning or issuing no one a warning. We will conduct a saturation outreach campaign to inform property owners that enforcement will begin with the first snowfall.

Neither the existing law nor the proposed Act specifies how much of a sidewalk must be cleared. It would be helpful for residents to know how much of their sidewalks should be cleared to avoid being cited for a violation. And such specificity would provide guidance to DPW, DDOT and MPD personnel regarding what to look for when issuing a ticket.

Furthermore, as a result of reviewing the proposed Act, as it is currently written, it mandates that:

The District will not be responsible for abatement or clearing the sidewalks of residential or commercial properties that do not abut public space.

While the existing law does not require the District to abate, by issuing a ticket for failure to remove snow/ice from abutting public sidewalks, the District is on notice that a hazardous condition exists. If we do not abate, the District can be held liable for negligence.

According to the existing law, appropriations are to be made available for snow and ice removal when so ordered by the Mayor. Therefore, if the Mayor does command the District to abate the snow/ice on the sidewalks, funds and FTEs for additional people, equipment and the outreach campaign must be appropriated accordingly.

In conclusion, the Department of Public Works is prepared to do its part to fulfill Mayor Gray's commitment to improve the quality of life for District residents.

Thank you. I am available to respond to your questions.